

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

BONDEX INTERNATIONAL, INC., et al.)	
)	Case No. 1:03-CV-1322
Plaintiffs,)	
)	
v.)	JUDGE ANN ALDRICH
)	
HARTFORD ACCIDENT AND INDEMNITY)	Magistrate Judge Vecchiarelli
COMPANY, et al.)	
)	
Defendants.)	<u>MEMORANDUM AND ORDER</u>
)	
)	

On February 23, 2009, the plaintiffs filed a motion to amend this court's judgment order [Doc. No. 888] pursuant to Federal Rule of Civil Procedure 59(e). For the following reasons, the plaintiffs' motion is granted.

On February 10, 2009, this court granted judgment against the plaintiffs and in favor of defendant Mt. McKinley in the amount of \$231,077.33. This court ordered the "Clerk to accept and deposit into the registry of the Court the deposit made by the plaintiffs in this action in the amount of \$231,077.33." [Doc. No. 886.] The plaintiffs have requested that they not be required to deposit the award into the court registry. Mt. McKinley has no objection to the plaintiffs' request insofar as judgment is still entered against the plaintiffs and in favor of Mt. McKinley in the amount of \$231,077.33. [Doc. No. 889.] This court grants the plaintiffs' request and amends the order [Doc. No. 886] by deleting the following language:

[I]t is hereby ORDERED that the Clerk accept and deposit into the registry of the Court the deposit made by the plaintiffs in this cause of action in the amount of \$231,073.33; and furthermore, it is ORDERED that the Clerk promptly deposit those funds into the existing money market savings account via a wire transfer into the Court's On-Line Banking System with Bank of America and deduct a registry fee as a percentage of the income earned on the investment, not to exceed 10%, upon closing of the account and prior to any distribution of funds invested.

Mt. McKinley has not requested a supersedeas bond.

This court's February 10, 2009 order [Doc. No. 886], as amended here, is stayed pending appeal. Following the appeal, the plaintiffs shall file a proposed order on the disposition of the funds held in the court's registry.

IT IS SO ORDERED.

/s/ Ann Aldrich
ANN ALDRICH
UNITED STATES DISTRICT JUDGE

Dated: April 23, 2009